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 USA, INC. and SIEMENS  
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**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

NEUROGRAFIX, a California  
 corporation; WASHINGTON  
 RESEARCH FOUNDATION, a not-for-  
 profit Washington corporation,

Plaintiffs,

vs.

SIEMENS MEDICAL SOLUTIONS  
 USA, INC., a Delaware corporation; and  
 SIEMENS AKTIENGESELLSCHAFT,  
 a German Corporation,

Defendants.

Case No. 10-CV-1990 MRP (RZx)

[Assigned to The Honorable Mariana  
 R. Pfäelzer]

**JOINT CLAIM CONSTRUCTION  
 AND PREHEARING STATEMENT**

First Amended Complaint Filed:  
 July 30, 2010

Pursuant to the Court's November 9, 2010 Order and Northern District of California Local Patent Rule 4-3, the parties hereby submit their Joint Claim Construction and Prehearing Statement.

### **I. AGREED AND DISPUTED TERMS.**

The attached chart details the disputed and agreed terms. The first chart contains the 10 most significant and disputed terms to be construed, and also identifies the terms for which Siemens contends claim construction may be dispositive of certain claims in the patent. The second chart contains the remaining disputed terms. The third chart contains the agreed terms and constructions.

### **II. ANTICIPATED LENGTH OF HEARING.**

The parties agree that the anticipated length of the Claim Construction Hearing will be 4 hours.

### **III. LIVE TESTIMONY.**

At this time, the parties do not propose to call any witnesses at the Claim Construction Hearing.

Dated: February 2, 2011

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Andrew D. Weiss

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USA, INC. and SIEMENS  
AKTIENGESELLSCHAFT

**CERTIFICATE OF SERVICE**

I certify that counsel of record who are deemed to have consented to electronic service are being served on February 2, 2011, with a copy of this document via the Court's CM/ECF systems. Any other counsel will be served by electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

/s/ Andrew D. Weiss  
Andrew D. Weiss

RUSS, AUGUST & KABAT

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